

23LSO-0205

State lands-use of land qualification requirements.

A BILL

for

AN ACT relating to state lands; requiring an applicant ~~a person or entity~~ to have actual and necessary use of state lands to be qualified to lease state lands; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 36-5-101(a) and 36-5-105(b)(intro) are amended to read:

36-5-101. Qualifications of lessees; lease terms; rental.

(a) No person shall be qualified to lease state lands unless that person has reached the age of majority, ~~and~~ and is a citizen of the United States, or has declared an intention to become a citizen of the United States, ~~and has actual and necessary use for the land~~. No person or legal entity shall be qualified to lease state lands unless ~~he or it~~ the person or entity has complied with the laws of this state, ~~and~~ and is authorized to transact business in this state ~~and has actual and necessary use for the land~~.

36-5-105. Criteria for leasing; preferences; assignments, subleases or contracts; lands taken for war purposes; mineral lands excepted; agricultural lands.

(b) No applicant shall be qualified to lease state lands for grazing and agricultural purposes without having actual and necessary use of the land or forage.

~~(b)~~ (c) No applicant shall be qualified to lease vacant lands unless that applicant is qualified under the provisions of W.S. 36-5-101, ~~has actual and necessary use for the land~~, has or can gain access to the land and offers to pay an annual rental at not less than fair market value, as determined by the economic analysis pursuant to W.S. 36- 22 5-101(b), for the same or similar use of the land for a period of ten (10) years and who has not been found to have significantly violated any laws or regulations related to state lands. Also in leasing vacant lands:

~~(c)~~ (d) An applicant who is the holder of an expiring lease, and has paid the rental when due, and has not violated the provisions of the lease, and is qualified under the provisions of W.S. 36-5-101, shall have a preferred right to renew such lease by meeting the highest bid offered by another qualified applicant ~~who has actual and necessary use for the land and available forage~~ and whose bid is not less than the minimum fair market value as determined by the board for the same or a similar use of land using the formula developed pursuant to W.S. 36-5-101(b) and not more than one hundred twenty percent (120%) of the maximum fair market value as determined by the board based on the previous year's values for the state, district or county,

whichever is most localized and available, as determined by the national agricultural statistics service utilizing:

[renumber as appropriate]

Section 2. This act is effective July 1, 2023.